

German doctors face investigation in drugs scandal

Annette Tuffs *Heidelberg*

Some 3500 doctors in several German towns are currently being investigated for alleged undue financial advantages and corruption after aggressive marketing by a drugs company.

The district attorney's office in Munich, which is carrying out the investigation, said that suspicions were raised over excessive marketing activities by SmithKline Beecham, the company which merged in 2000 with GlaxoWellcome to form GlaxoSmithKline. From 1997 to 1999 SmithKline Beecham invited hospital doctors and their spouses to conferences in Germany and abroad.

An additional 5800 payments of up to €25 000 each (£15 477; \$22 051) were made, in some cases for travel costs, conferences, studies, lectures, or expert

consulting. In other cases, books, personal computers, and donations were given. When SmithKline Beecham held a conference on its new ACE inhibitor drug, doctors were invited to visit the final of the football world championship or a formula one race nearby.

However, 2220 of the initially suspected cases have been closed by the district attorney's office because less than €500 was paid.

After nationwide reporting of the scandal in the media, federal health minister Ulla Schmidt, like other politicians, was enraged and asked for a thorough investigation.

The German director of GlaxoSmithKline, Thomas Werner, did not deny that the former SmithKline Beecham

was responsible for these excessive marketing activities. He protested, however, against premature judgments on doctors and employees of the company.

When GlaxoSmithKline was formed, new guidelines had been issued, said Dr Werner. He also pointed out that clinical studies were essential for the introduction of innovative therapies and that doctors have to be informed about new drugs. Doctors' integrity must not be put at risk without real reason, he said.

Lawyer Alexander Ehlers, who specialises in questions of health law, pointed out that only doctors employed in hospitals were involved. If they received money or any other reward without adequate work, the anti-corruption law had to be applied. Whereas a dinner invitation at a

conference was acceptable, the doctor's spouse should not be invited, and luxurious entertainment was also unacceptable, he said. Funding of clinical research by firms was possible if the money was paid and administered in special accounts.

Jörg Hoppe, the president of the Bundesärztekammer, the German Medical Association, pointed out that again and again doctors were unfairly publicly prosecuted and—as in the so called “heart valve scandal”—in only a few cases did legal prosecution follow.

In the “heart valve scandal” thousands of doctors were said to have received money for using very expensive types of heart valves. In the end, 34 doctors were sentenced, for various other reasons. □

Woman at centre of Southall case faces prison sentence

Caroline White *London* and Robert Freeth *Sunderland*

The woman who instigated complaints against consultant paediatrician Professor David Southall, which ended in his suspension from clinical practice for two years, is facing a “substantial” prison sentence.

Penny Mellor, who campaigns on behalf of parents who claim to be wrongly accused of child abuse, was convicted last month at Newcastle upon Tyne Crown Court of plotting to hide a child from police and social services.

A family from Sunderland, Tyne and Wear, who feared that their 9 year old daughter was about to be taken into care, contacted Mrs Mellor.

The family's fears were groundless, the court heard, although doctors had diagnosed fabricated or induced illness, for-

merly known as Munchausen syndrome by proxy. At Mrs Mellor's behest, the child and her grandmother travelled to Mrs Mellor's home in Wolverhampton. Mrs Mellor put them in touch with a Scotsman, Stuart Carnie, with whom they subsequently went on the run for four weeks to Ireland and Scotland, the court heard.

The parents, grandmother, and Mr Carnie later admitted conspiracy to abduct a child. The family members were jailed for between six and nine months each last year. Mr Carnie failed to turn up for sentencing and is still being sought by police.

Judge Guy Whitburn QC granted Mellor bail pending the preparation of a pre-sentence report, but told her: “You would be wise to use this time to pre-



Penny Mellor faces sentencing for child abduction

pare for a substantial prison sentence.”

Mrs Mellor was credited with forcing Professor Southall's suspension from clinical duty at North Staffordshire Hospitals NHS Trust in November 1999 while the serious allegations she

had made about him earlier that year were investigated. Although he has now been completely exonerated by the trust, the string of complaints she made about him to the General Medical Council are still being investigated. □